

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 3:20-05032-CR-RK
)	
TIMOTHY A. AVEY,)	
)	
Defendant.)	

ORDER

Before the Court is the Report and Recommendation prepared by Magistrate Judge David P. Rush on October 6, 2022. (Doc. 47.) Neither party filed objections within the 14-day period provided by Rule 59(a) of the Federal Rules of Criminal Procedure. As a result, the parties have waived their right to review. *Id.* After reviewing the record, it is **ORDERED** that Judge Rush's Report and Recommendation is adopted in its entirety, and the Court finds that Defendant is mentally competent to proceed.

IT IS SO ORDERED.

s/ Roseann A. Ketchmark
ROSEANN A. KETCHMARK, JUDGE
UNITED STATES DISTRICT COURT

DATED: October 25, 2022